

REMARKS

Claims 1-4 and 7-9 have been examined and have been rejected under 35 U.S.C. § 102(b).

I. Rejections under 35 U.S.C. § 102(b) in view of U.S. Publication No. 2001/0030141 to Kasakura (“Kasakura”)

The Examiner has rejected claims 1-4 and 7-9 in view of the newly cited Kasakura reference.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference.

On pages 2 and 3 of the Office Action, the Examiner points to certain phrases of claim 1 and indicates that such phrases recite an intended use and are therefore not accorded patentable weight. Without conceding to the Examiner’s position, Applicant hereby amends claim 1. Applicant submits that all features recited in amended claim 1 should be accorded patentable weight. Particularly, claim 1 recites a packaging system having a packaging carton and a single pad formed of shock absorbing material.

In Figure 7, Kasakura discloses multiple sheets of cushion material 25 that have through-holes 26 formed therein. Each sheet of material 25, when taken individually, is alleged by the Examiner to disclose the claimed single pad with hole for deaeration. As set forth above, however, claim 1 recites a “single” pad in the claimed packaging system.

At least based on the foregoing, Applicant submits that claim 1 is patentable over the cited reference.

B. Claims 2-4 and 7-9

Applicant submits that claims 2-4 and 7-9 are patentable at least by virtue of their dependency.

In addition, claim 3 recites that the shock absorbing material has grooves that contact both the deaerating-duct insertion opening and the hole for deaeration. The Examiner maintains that in Figure 11 of Kasakura, the member 42 has grooves on both sides thereof. The Examiner further maintains that such grooves are capable of providing communication between the openings 48 (pg. 4 of Office Action). As shown in Figure 11, the alleged grooves are cutout portions along the side walls 45. The alleged grooves clearly do not contact holes 48 and 49 in the manner recited in claim 3 and as shown in at least the non-limiting embodiment of Figure 7 of the present invention. Rather, the alleged grooves of Kasakura are formed to mate with the protrusions of the top lid portion, as shown in Figure 11.

Accordingly, Applicant submits that the alleged grooves of Kasakura fail to teach or suggest the claimed grooves (i.e., they do not contact the holes 48 or 49).

II. Rejections under 35 U.S.C. § 102(b) in view of U.S. Publication No. 2002/0189970 to Koike (“Koike”)

The Examiner has maintained the rejection of claims 1-4 and 7-9 under 35 U.S.C. § 102(b) in view of Koike.

A. Claim 1

On page 7 of the present Office Action, the Examiner provides arrows to Figure 1 of Koike and maintains that the arrows point to all of the alleged holes of claim 1. The claim recites, however, that the hole penetrates through a first and second surface of the pad. Applicant submits that none of the alleged holes of Koike actually penetrate through a first and second surface. Rather, all of the alleged holes of Koike are merely indentions or spaces provided in either the first *or* second surface.

In addition, Applicant hereby incorporates all arguments previously presented in the Amendments of July 26, 2007 and August 9, 2007 regarding the Koike reference.

B. Claims 2-4 and 7-9

Applicant submits that claims 2-4 and 7-9 are patentable at least by virtue of their dependency.

In addition, regarding claim 2, Applicant submits that Koike fails to teach or suggest a deacrating-duct insertion opening that penetrates through both the first and second surfaces of the single pad.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

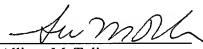
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